

## Department of Planning and Budget 2011 Fiscal Impact Statement

**1. Bill Number:** SB823

|                        |                                       |  |                                    |
|------------------------|---------------------------------------|--|------------------------------------|
| <b>House of Origin</b> | <input type="checkbox"/> Introduced   | <input checked="" type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| <b>Second House</b>    | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute            | <input type="checkbox"/> Enrolled  |

**2. Patron:** Edwards

**3. Committee:** Commerce and Labor

**4. Title:** Workers' compensation; presumption that injury arises out of employment.

**5. Summary:** Creates a presumption, in the absence of a preponderance of evidence to the contrary, that an injury is work related. The presumption arises in a claim under the Workers' Compensation Act where an employee is physically or mentally unable to testify and there is unrebutted prima facie evidence that the injury was work related.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Indeterminate

**8. Fiscal Implications:** The Department of Human Resource Management indicates that because the Commonwealth has experience based premiums, any additional cost of claims would be passed on to the agencies in the form of increased premiums.

The Workers' Compensation Commission reports no fiscal impact to the commission.

**9. Specific Agency or Political Subdivisions Affected:** The Department of Human Resource Management, Workers' Compensation Commission

**10. Technical Amendment Necessary:** No

**11. Other Comments:** n/a

**Date:** 2/17/11 ckb

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